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Assistant Commissioner
New Jersey Department of Environmental Protection
Site Remediation Program
Mail Code: 401-406
PO Box 420
Trenton, NJ 08625-0420

February 10, 2015

RE: Petition for Preliminary Assessment for the Hackensack River

Dear Mr. Pedersen:

In October of 2013, we met with DEP staff to discuss ways to address toxic pollution in the sediment of the Hackensack River. We had previously met with EPA staff on the same issue, and had subsequent, less formal discussions on the matter with both the Department and the Agency. We left our meeting with DEP believing that our organizations, the Department, and the Agency all shared the common goal of addressing toxic sediments in the River, and we continue to believe that all parties ultimately agree that the Hackensack River ought to be listed to the National Priorities List.

As a result of that meeting, we conclude that DEP favors one method to achieve the listing, while EPA favors another. We understand DEP favors expanding the jurisdiction of existing NPL sites on the river to as far as science justifies. Presumably, the contamination in the river is significant enough to warrant listing from at least the mouth of the river to the Oradell Dam. EPA, on the other hand, believes that the river should be listed on its own merits, and should be treated as its own site, rather than as an expansion of the Standard Chlorine or Berry's Creek sites. If our understanding of either the Department or the Agency's positions is incorrect, we would like to have remedied our misunderstanding at a joint meeting.

Because Hackensack Riverkeeper believes both of these approaches have merit, our intention was to arrange a meeting with representatives of both the Department and the Agency to see if

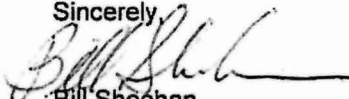


we could settle these minor differences and move forward. Despite our efforts, we were unable to get all of the parties together for a meeting at any time during the past year.

Consequently, we feel it best to proceed independently. 40 CFR § 300.420(5) allows that "Any person may petition the lead federal agency ... to perform a (Preliminary Assessment) of a release when such person is, or may be, affected by a release of a hazardous substance, pollutant, or contaminant." Hackensack Riverkeeper has filed a petition with EPA Region 2 to perform a Preliminary Assessment on the Hackensack River, I attach a copy of that petition to this letter.

I hope that the information generated by the Preliminary Assessment will help inform how and to what extent the river should be added to the National Priorities List. I regret that we were unable to bridge the divide between DEP and EPA before taking this step, but I hope that we can work together more productively in the future.

Sincerely,



Bill Sheehan

Hackensack Riverkeeper